

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F057094 People v. Maule
F057096 People v. Herrera

The matter is remanded with the directions to the court: To issue amended abstract of judgments reflecting (1) the striking of the purported 15-to-life criminal street gang enhancement (186.22, subd. (b)(5)) from Maule's and Herrera's sentences; (2) the ordering of a 15-year minimum parole eligibility date for Maule's 15-to-life term for second degree murder (186.22, subd. (b)(5)); (3) the ordering of a seven-year minimum parole eligibility date for Herrera's 15-to-life term for second degree murder (3046, subds. (a)(1), (b)); and (4) the service by both Maule and Herrera of the indeterminate terms (second degree murder) consecutively to service of the determinate terms (commission of the crime for the benefit of a criminal street gang) (669; Cal. Rules of Court, rule 4.451(a)); and to send to the Department of Corrections and Rehabilitation certified copies of both abstracts of judgment so amended. Maule and Herrera have no right to be present at those proceedings. In all other respects, the judgments are affirmed. Gomes, J.

We concur: Cornell, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F057399 People v. Darnell
Appellant's petition for rehearing filed herein is denied.

F058882 In re R.M., a Person Coming Under the Juvenile Court Law
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F058882 In re R.M., a Person Coming Under the Juvenile Court Law
The order terminating parental rights is affirmed.

By the Court.

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